

8915-0035/dmf

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
CINDY CHAVIS,

Plaintiff,

-against-

ANSWER

07 CIV 8086 (KMK)

MARGARET PALUMBO, sued in her individual capacity, and
JOHN DOES I through III, sued in their individual capacities,

Defendants.
-----X

The defendant, Margaret Palumbo, by her attorneys, McCabe & Mack LLP, as and for
her answer to plaintiff's complaint, respectfully shows to the court and alleges as follows.

INTRODUCTION

1. With regard to paragraph numbered "1" of the complaint, neither admits nor
denies as states a conclusion of law.

PARTIES

2. Denies knowledge or information sufficient to form a belief as to the truth of
the allegations contained in paragraphs numbered "2" and "4" of the complaint.

3. With regard to paragraph numbered "3" of the complaint, admits only that she
is employed by the City of Poughkeepsie as its Section 8 Housing Administrator.

JURISDICTION AND VENUE

4. With regard to paragraph numbered "5" of the complaint, neither admits nor
denies as states a conclusion of law.

FACTUAL AVERMENTS

5. With regard to paragraph numbered "7" of the complaint, denies knowledge or
information sufficient to form a belief as to the truth of the allegations with respect to

8915-0035/dmf

plaintiff's mental status. Admits only that plaintiff was in receipt of Section 8 benefits through September 2006.

6. Denies those allegations contained in paragraphs numbered "10", "11", "12", "13", "14" and "15" of the complaint.

7. With regard to paragraph numbered "8" of the complaint, admits only that an informal hearing was commenced on April 4, 2006 at plaintiff's request to challenge the determination to discontinue her participation in the Section 8 program.

8. With regard to paragraph numbered "9" of the complaint, admits only that John Johnson, who identified himself as plaintiff's husband, spoke to her.

CAUSES OF ACTION

9. Repeats, reiterates and realleges each and every denial to each and every allegation contained in paragraphs numbered "1" through "15" and incorporated by reference in paragraph "16" of the complaint as if the same were more fully set forth herein at length.

10. Denies those allegations contained in paragraphs numbered "17" and "18" of the complaint.

AS AND FOR A FIRST AFFIRMATIVE DEFENSE

11. Margaret Palumbo acted in good faith and is entitled to qualified immunity.

DATED: Poughkeepsie, New York
October 17, 2007

Yours, etc.

McCABE & MACK LLP

By: 

David L. Posner (0310)

Attorneys for Defendant Margaret Palumbo

63 Washington Street

P.O. Box 509

Poughkeepsie, NY 12602-0509

Tel: (845) 486-6800

8915-0035/dmf

TO: BERGSTEIN & ULLRICH, LLP
Attorneys for Plaintiff
15 Railroad Avenue
Chester, NY 10918